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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,373	01/17/2002	Ernst Bretschneider	DE 010005	3917

24737 7590 04/25/2003

PHILIPS ELECTRONICS NORTH AMERICAN CORP
580 WHITE PLAINS RD
TARRYTOWN, NY 10591

EXAMINER

REIS, TRAVIS M

ART UNIT	PAPER NUMBER
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2859

DATE MAILED: 04/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary-

Application No.

10/056,373

Applicant(s)

BRETSCHNEIDER ET AL.

Examiner

Travis M Reis

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5,7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: On page 7, line 7, "13". Should be ---30---.

Appropriate correction is required.

2. Claims 1-3, 5-8, 13, 16, 17, 19, 21, 23-25, & 33 are objected to because of the following informalities:

Regarding claims 1 & 25, the phrase "for example" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Regarding claims 1-3 13, 16, 17, 19, 21, 23-25, & 33, the phrase "particularly" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim 5 recites the limitation "the emitter" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "the emitter" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 7 recites the limitation "the collector" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 8 recites the limitation "the junction" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 23 recites the limitation "the control logic unit" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 25 recites the limitation "the detector unit" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-35 are rejected under 35 U.S.C. 102(b) as being anticipated by Schrenk (U.S. Patent 4910707).

With reference to claims 1-16 & 19-35, Schrenk discloses an electric circuit arrangement for protecting a chip arrangement comprising a optosensitive detector unit (8) arranged underneath an dielectric opaque epoxy insulation oxide layer with a plurality of pnp bipolar transistors (col. 4 lines 5-15) (Figure 4), wherein an emitter (15) is connected to the input (18) of the comparator unit and the power supply voltage via a power supply resistor (14), while a collector (16) is connected to ground via a reference resistor, and a junction of the bipolar transistor (14) is provided for absorbing light (col. 3 lines 23-36); whose output voltage is a measure of the intensity of incident light on the detector unit, a comparator unit (4) preceded by the detector unit provided for comparing the output voltage of the detector unit with an adjustable reference voltage

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(col. 3 lines 38-48) with an evaluation/logic unit (6), connected to an erasable EEPROM storage unit (5) further connected to a control logic unit (7); wherein the data of the chip arrangement to be protected can be permanently blocked, or short circuited (1a) (col. 1 lines 61-68), in the case of a failure message occurring during comparison of the output voltage of the detector unit with the reference voltage when the output voltage deviates from the nominal range (col. 2 lines 52-58).

Furthermore, with reference to claims 17 & 18, it has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hayakawa discloses a device for optically detecting the presence of an object on an optical path including a variable I-V characteristic circuit to effect in a positive feedback relationship between the radiation source and the radiation detector (U.S. Patent 4808809). Hasegawa discloses a photodetecting circuit (U.S. Patent 4851689). Yokogawa et al. disclose a light-receiving and amplifying device capable of widening an AC operation range (U.S. Patent 5321254). Chirovsky et al. discloses a diode-clamped optical receiver (U.S. Patent 5343032). Tew discloses an on-chip light sensor (U.S. Patent 5481118). Turnbull et al. discloses an adjustment of photoconductive cells (U.S. Patent 5923028). Levy discloses a focal plane readout unit cell background suppression circuit (U.S. Patent 6147340). Thompson et al. discloses a


detection circuit having a variable impedance (U.S. Patent 6307196). Hayami et al. discloses a temperature compensating circuit (U.S. Patent 6426495).

6: Any inquiry concerning this communication or earlier communications from the examiner should be directed to Travis M Reis whose telephone number is (703) 305-4771. The examiner can normally be reached on 8:00--5:00 Monday--Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez can be reached on (703) 308-3875. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-8160 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Travis M Reis
Examiner
Art Unit 2859



Diego Gutierrez
Supervisory Patent Examiner
Technology Center 2800

tmr
April 21, 2003